

§31.3406(g)-1 of the proposed regulations to clarify that, consistent with the backup withholding rules generally, a payment of interest described in §1.6049-8(a) is not subject to withholding under section 3406 if the payor may treat the payee as a foreign person, without regard to whether the payor reported such interest (although a payor may be subject to penalties if it fails to report as required). As under the prior regulations requiring the reporting of interest paid to Canadian nonresident alien individuals, the final regulations define interest subject to reporting to mean interest paid on deposits as defined under section 871(i)(2)(A) (including deposits with persons carrying on a banking business deposits with certain savings institutions, and certain amounts held by insurance companies under agreements to pay interest thereon).

The Acting CHAIR. The time of the gentleman from Massachusetts has expired. The gentleman from Florida has 30 seconds remaining.

Mr. POSEY. I don't know how many deadbeat taxpayers are in Venezuela or Cuba or Iran, but I think it's ludicrous to think that we would want to put American investments in other countries. We're looking at, according to the Mercatus Center at George Mason, a possible capital flight of \$88 billion, and this is opposed to maybe, at the high side estimating, we'll recover \$800 million from tax cheats, hopefully. That's just not a good percentage. That's not a good investment. That's bad business in any sense of the word.

I urge my colleagues to vote in favor of a good commonsense bill that will help our economy recover and help America stay strong.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. POSEY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FRANK of Massachusetts. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

□ 2200

Mr. LANKFORD. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. POSEY) having assumed the chair, Ms. HAYWORTH, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4078) to provide that no agency may take any significant regulatory action until the unemployment rate is equal to or less than 6.0 percent, had come to no resolution thereon.

OMISSION FROM THE CONGRESSIONAL RECORD OF TUESDAY, JULY 24, 2012, AT PAGE H5198

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. JACKSON LEE of Texas (at the request of Ms. PELOSI) for today between 1 and 5 p.m. on account of attending a memorial service for her former chief of staff.

Mr. REYES (at the request of Ms. PELOSI) for today on account of medical reasons.

#### SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 710. An act to amend the solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system, Committee on Energy and Commerce.

#### ENROLLED BILL SIGNED

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CULBERSON (at the request of Mr. CANTOR) for today after 5 p.m. on account of a personal matter.

Ms. JACKSON LEE of Texas (at the request of Ms. PELOSI) for today after 1 p.m. through July 26 on account of completing her ongoing medical treatment in Houston, Texas.

#### SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1335. An act to amend title 49, United States Code, to provide rights for pilots, and for other purposes.

#### ADJOURNMENT

Mr. LANKFORD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 1 minute p.m.), under its previous order, the House adjourned until tomorrow, Thursday, July 26, 2012, at 9 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7069. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Pasteuria* spp. (*Rotylenchulus reniformis* nematode)-Pr3; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0805; FRL-9353-5] received July 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7070. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Synchronizing the Expiration Dates of the Pesticide Applicator Certificate with the Underlying State or Tribal Certificate [EPA-HQ-OPP-2011-0049; FRL-9334-4] (RIN: 2070-AJ00) received July 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7071. A letter from the Secretary, Department of Defense, transmitting the Department's report on the policies and practices of the Navy for naming vessels of the Navy; to the Committee on Armed Services.

7072. A letter from the Under Secretary, Department of Defense, transmitting request of an extension to deliver the report on the current and future military strategy of Iran; to the Committee on Armed Services.

7073. A letter from the Principal Deputy, Department of Defense, transmitting a letter authorizing Brigadier General Richard M. Clark, United States Air Force, to wear the insignia of the grade of major general; to the Committee on Armed Services.

7074. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Thomas J. Owen, United States Air Force, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

7075. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to the Socialist Republic of Vietnam pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

7076. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Extension of Interim Final Temporary Rule on Retail Foreign Exchange Transactions [Release No.: 34-67405; File No. S7-30-11] (RIN: 3235-AL19) received July 21, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7077. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's "Major" final rule — Further Definition of "Swap", "Security-Based Swap", and "Security-Based Swap Agreement"; Mixed Swaps; Security-Based Swap Agreement Recordingkeeping [Release No.: 33-9338; 34-67453; File No. S7-16-11] (RIN: 3235-AK65) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7078. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's "Major" final rule — Consolidated Audit Trail [Release No.: 34-67457; File No. S7-11-10] (RIN: 3235-AK51) received July 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7079. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Regional Haze State Implementation Plan [EPA-R03-OAR-2010-0002; FRL-9695-5] received July 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7080. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Illinois; Regional Haze [EPA-R05-OAR-2011-0598; FRL-9683-6] received July 3, 2012, pursuant to

5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7081. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Regional Haze State Implementation Plan [EPA-R03-OAR-2012-0144; FRL-9695-4] received July 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7082. A letter from the Director, Defense Security Cooperation Agency, transmitting a notice of proposed lease with the Government of Canada (Transmittal No. 06-12) pursuant to Section 62(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7083. A letter from the Acting Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

7084. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting pursuant to section 3(d) of the Arms Export Control Act, as amended, certification regarding the proposed transfer of major defense equipment (Transmittal No. RSAT-12-2917); to the Committee on Foreign Affairs.

7085. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting pursuant to section 3(d) of the Arms Export Control Act, as amended, certification regarding the proposed transfer of major defense equipment (Transmittal No. RSAT-12-2990); to the Committee on Foreign Affairs.

7086. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting copy of the report entitled "District of Columbia Agencies' Compliance with Small Business Enterprise Expenditure Goals through the 2nd Quarter of Fiscal Year 2012", pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

7087. A letter from the Executive Director, Access Board, transmitting the Board's annual report for FY 2011 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

7088. A letter from the Management Analyst, Department of Agriculture, transmitting the Department's "Major" final rule — Special Areas; Roadless Area Conservation; Applicability to the National Forests in Colorado (RIN: 0596-AC74) received July 12, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7089. A letter from the Acting Assistant Secretary, Indian Affairs, Department of the Interior, transmitting the annual report on the Contract Support Costs of Self-Determination Awards, pursuant to Public Law 93-638, section 106(c); to the Committee on Natural Resources.

7090. A letter from the Acting Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Delmarva Access Area [Docket No.: 120330235-2014-01] (RIN: 0648-BC04) received July 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7091. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Northeast Multispe-

cies Fishery; Exempted Fishery for the Southern New England Skate Bait Trawl Fishery [Docket No.: 110901554-2178-02] (RIN: 0648-BB35) received July 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

7092. A letter from the Director, Administrative Office of the United States Courts, transmitting a report on applications for delayed-notice search warrants and extensions during fiscal year 2011; to the Committee on the Judiciary.

7093. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's "Major" final rule — Changes to Implement the Supplemental Examination Provisions of the Leahy-Smith America Invents Act and to Revise Reexamination Fees [Docket No.: PTO-P-2011-0075] (RIN: 0651-AC69) received June 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7094. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's "Major" final rule — Transitional Program for Covered Business Method Patents-Definitions of Covered Business Method Patent and Technological Invention [Docket No.: PTO-P-2011-0087] (RIN: 0651-AC75) received July 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7095. A letter from the Federal Liaison Officer, Department of Commerce, transmitting the Department's "Major" final rule — Changes to Implement Inter Partes Review Proceedings, Post-Grant Review Proceedings, and Transitional Program for Covered Business Method Patents [Docket No.: PTO-P-2011-0083] (RIN: 0651-AC71) received June 23, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7096. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the Department's quarterly report from the Office of Privacy and Civil Liberties for the second, third, and fourth quarters of FY 2011 and for the first and second quarters of FY 2012; to the Committee on the Judiciary.

7097. A letter from the General Counsel, National Tropical Botanical Garden, transmitting a letter informing of a delay in the submission of the annual audit; to the Committee on the Judiciary.

7098. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Effective Date for the Water Quality Standards for the State of Florida's Lakes and Flowing Waters [EPA-HQ-OW-2009-0596; FRL-9691-3] (RIN: 2040-AF41) received July 3, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. FOXX: Committee on Rules. House Resolution 741. Resolution providing for further consideration of the bill (H.R. 4078) to provide that no agency may take any significant regulatory action until the unemployment rate is equal to or less than 6.0 percent (Rept. 112-623). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. THOMPSON of California (for himself, Mr. LEVIN, Mr. RANGEL, Mr. STARK, Mr. McDERMOTT, Mr. LEWIS of Georgia, Mr. NEAL, Mr. BECERRA, Mr. DOGGETT, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. KIND, Mr. PASCRELL, Ms. BERKLEY, and Mr. CROWLEY):

H.R. 6182. A bill to amend the Internal Revenue Code of 1986 to extend and expand the credit for qualifying advanced energy projects, and for other purposes; to the Committee on Ways and Means.

By Mr. CONYERS (for himself, Mr. JOHNSON of Georgia, and Mr. SCOTT of Virginia):

H.R. 6183. A bill to protect cyber privacy, and for other purposes; to the Committee on the Judiciary.

By Mr. AMODEI:

H.R. 6184. A bill to quitclaim surface rights to certain Federal land under the jurisdiction of the Bureau of Land Management in Virginia City, Nevada, to Storey County, Nevada, to resolve conflicting ownership and title claims, and for other purposes; to the Committee on Natural Resources.

By Mrs. ADAMS (for herself, Mr. SENBRENNER, Mr. SCOTT of Virginia, Mr. COBLE, Mr. JOHNSON of Georgia, Mr. POE of Texas, Mr. NADLER, Mr. GOWDY, and Mr. AMODEI):

H.R. 6185. A bill to improve security at State and local courthouses; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MOORE (for herself, Mr. BACHUS, Ms. WATERS, and Mrs. BIGGERT):

H.R. 6186. A bill to require a study of voluntary community-based flood insurance options and how such options could be incorporated into the national flood insurance program, and for other purposes; to the Committee on Financial Services.

By Mr. HIMES (for himself and Ms. LEE of California):

H.R. 6187. A bill to establish a research program under the Congressionally Directed Medical Research Program of the Department of Defense to discover a cure for HIV/AIDS; to the Committee on Armed Services, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARNAHAN (for himself, Mr. HONDA, Mr. RANGEL, Ms. WOOLSEY, Mr. KISSELL, Mr. FILNER, Ms. NORTON, and Mr. MCGOVERN):

H.R. 6188. A bill to amend title 38, United States Code, to grant family of members of the uniformed services temporary annual leave during the deployment of such members, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CONYERS (for himself and Mr. SMITH of Texas):

H.R. 6189. A bill to eliminate unnecessary reporting requirements for unfunded programs under the Office of Justice Programs; to the Committee on the Judiciary.

By Mr. BURGESS (for himself, Mr. ROSS of Arkansas, Mr. BARTON of Texas, Mr. PITTS, Mr. CARTER, and Mr. MATHESON):

H.R. 6190. A bill to direct the Administrator of the Environmental Protection Agency to allow for the distribution, sale,